

September 25, 2023

VIA ECF

The Honorable Martin Glenn
Chief Bankruptcy Judge
United States Bankruptcy Court for the Southern District of New York
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New York, NY 10004-1415
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Re: *In re Celsius Network LLC, et al.*, Case No. 22-10964 (MG) – Request for Remote Testimony

Dear Chief Judge Glenn:

White & Case LLP is counsel to the Official Committee of Unsecured Creditors (the “Committee”) appointed in the above-referenced chapter 11 cases. The Committee writes pursuant to paragraph 6 of the *Order Establishing Case Management Procedures for the Confirmation Hearing* [Dkt. No. 3478] to request that Mark Robinson, a witness for the Committee in support of confirmation of the *Joint Chapter 11 Plan of Reorganization of Celsius Network LLC and its Debtor Affiliates* [Dkt. No. 3319] (the “Plan”), be permitted to testify remotely for cross examination and re-direct examination.

Pursuant to Federal Rule of Civil Procedure 43(a), “for good cause in compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location.” Fed. R. Civ. P. 43(a). The Committee intends to submit Mr. Robinson’s written direct testimony in connection with the Confirmation Hearing. Mr. Robinson is a Major in the United States Army and currently serves as the Chief of Military Justice for the Fort Knox Consolidated Military Justice Office located in Fort Knox, Kentucky. Due to his current active duty, it will be difficult for Mr. Robinson to attend the hearing in person, in New York. Thus, good cause exists to permit Mr. Robinson to testify remotely from Fort Knox, Kentucky to the extent parties wish to cross-examine him.

Accordingly, the Committee requests that the Court permit Mr. Robinson to testify remotely for any cross-examination that is required, and any subsequent re-direct examination, at the Confirmation Hearing.

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Sincerely,

/s/ Aaron Colodny
Aaron Colodny